

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

Count 1: 18 U.S.C. § 1952(a)(3) - Interstate Travel in Aid of Racketeering

Forfeiture Allegation: 18 U.S.C. § 981(a)(1) (C); 28 U.S.C. § 2461(c)

Petty
 Minor
 Misdemeanor
 Felony

PENALTY:

5 years imprisonment, \$250,000 fine, 3 years supervised release, \$100 special assessment, deportation, forfeiture

E-filing

PROCEEDING

Name of Complainant Agency, or Person (&Title, if any)

Bureau of Immigration and Customs Enforcement

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

this is a reprocution of charges previously dismissed which were dismissed on motion of:

U.S. Att'y Defense

this prosecution relates to a pending case involving this same defendant

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on THIS FORM

JOSEPH P. RUSSONIELLO

U.S. Att'y Other U.S. Agency

Name of Asst. U.S. Att'y (if assigned)

PETER B. AXELROD

Name of District Court, and/or Judge/Magistrate Location
 NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

YONG SUN AUSTIN, a/k/a ~~YONG SUN AUSTIN~~

DISTRICT COURT NUMBER

CR 08

0056

DEFENDANT

MHP

IS NOT IN CUSTODY

1) Has not been arrested, pending outcome this proceeding.
 If not detained give date any prior summons was served on above charges

2) Is a Fugitive

3) Is on Bail or Release from (show District)

IS IN CUSTODY

4) On this charge

5) On another conviction

6) Awaiting trial on other charges } Fed'l State

If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No } If "Yes" give date filed

DATE OF ARREST } Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT Bail Amount: _____

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address:

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____

JOSEPH P. RUSSONIELLO (CSBN 44332)
United States Attorney

FILED
CSEED-6 PII 2:26
RICHARD W. WICKING
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-filing

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MHP

0056

10 SAN FRANCISCO DIVISION
11 UNITED STATES OF AMERICA,) CR No. 08 0056
12 Plaintiff,) VIOLATION: 18 U.S.C. § 1952(a)(3) -
13 v.) Interstate Travel in Aid of Racketeering
14 YONG SUN AUSTIN,) SAN FRANCISCO VENUE
15 a/k/a Tammy,)
16 Defendant.)

INFORMATION

18 The United States Attorney charges:

19 | COUNT ONE: (18 U.S.C. § 1952(a)(3) – Interstate Travel in Aid of Racketeering)

20 1. On or about March 23, 2005, in the Northern District of California, the defendant

YONG SUN AUSTIN,
a/k/a Tammy,

did knowingly use a facility in interstate commerce, with the intent to promote, carry on, and facilitate the promotion and carrying on of an unlawful activity, as defined in Title 18, United States Code, Section 1952(b), and thereafter, performed and attempted to perform this same unlawful activity, in violation of Title 18, United States Code, Section 1952(a)(3).

FORFEITURE ALLEGATION: (18 U.S.C. § 981(a)(1)(C); 28 U.S.C. § 2461(c))

27 2. The allegations contained in Count One of this Information are realleged as though fully
28 set forth herein.

INFORMATION

3. As a result of the offense alleged in Count One, above, the defendant

YONG SUN AUSTIN,
a/k/a Tammy,

shall forfeit to the United States all property constituting, or derived from, said offense.

4. If, as a result of any act or omission of the defendants, any of said property

- a. cannot be located upon the exercise of due diligence,
- b. has been transferred or sold to, or deposited with, a third person,
- c. has been placed beyond the jurisdiction of the Court,
- d. has been substantially diminished in value, or
- e. has been commingled with other property that cannot be divided without difficulty.

the defendant shall forfeit any and all interest that the defendant has in any other property, not to exceed the value of the property subject to forfeiture under this provision.

DATED: 1-7-68

JOSEPH P. RUSSONIELLO
United States Attorney

BRIAN J. STRETCH
Chief, Criminal Division

(Approved as to form: ✓)

**AUSA Axelrod
AUSA Bedler**